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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,403	03/20/2001	Hiromi Sutou	520.39905X00	4076

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EXAMINER

BOUTAH, ALINA A

ART UNIT PAPER NUMBER

2143

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/811,403

Applicant(s)

SUTOU ET AL.

Examiner

Alina N Boutah

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This action is in response to Applicant's amendment filed November 7, 2005. Claims 15-27 have been newly added. Claims 1-27 are pending in the present application.

Specification

A new title that is more clearly indicative of the invention has been submitted. The objection is now withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of US 2004/0249938 by Bunch.

Regarding claims 1, 2, 15 and 17, AAPA teaches a terminal to be remotely controlled from a distant control terminal through a communication network, the distant control terminal remotely controlling the terminal through the communication network, comprising:

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means for receiving a remote operation message from the distant control terminal through the communication network (specification page 1, lines 22-24);

means for entering remote operation input information extracted from the received remote operation message into an operating system (specification page 2, lines 1-5); and

history recording means for recording the remote operation input information and transition of display on a terminal display screen in response to the remote operation input information as remote control history data (specification, page 2, lines 16-20).

However, AAPA does not explicitly teach the history recording means recording the remote operation input at the terminal being remotely controlled by the distant control terminal.

In an analogous art, Bunch teaches a client computer that logs all activity and storing the logged activity on the client computer (abstract, 0020-0021; 0068). At the time the invention was made, one of ordinary skill in the art would have been motivated to store the activity at the computer being controlled in order to relief the controlling terminal from the burden of storing all the activity from different clients, thus making the performance more efficient [0013].

Regarding claim 16, AAPA teaches the terminal according to claim 15, wherein history recording means records in said memory, as a part of the remote control history data, transition of display which has occurred on said terminal display screen in response to processing the remote operation input information (specification, page 2, lines 16-20).

Claims 3-12, 18-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of US 2004/0249938 by Bunch, in further view of USPN 6,708,211 issued to Tingley et al. (hereby referred to as Tingley).

Regarding claims 3 and 18, AAPA teaches a terminal to be remotely controlled from a distant control terminal through a communication, the distant control terminal remotely controlling the terminal through the communication network, comprising:

communication control means for receiving a remote operation message from the distant terminal through a communication network (specification page 1, lines 22-24);

remote operation basic control means for entering remote operation input information extracted from the received remote operation message into an operating system (specification page 2, lines 1-5);

history recording means for creating event data according to the remote operation input information for recording the created event data in a remote control history file (specification, page 2, lines 16-20); and

means for displaying remote control history information on a display screen of the terminal based on the content of said remote control history according to a request from a terminal user (specification, page 2, lines 16-20).

However, AAPA does not explicitly teach the history recording means recording the remote operation input at the terminal being remotely controlled by the distant control terminal and hooking means for capturing information supplied from the operating system to an application program and a display controller.

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In an analogous art, Bunch teaches a client computer that logs all activity and storing the logged activity on the client computer (abstract, 0020-0021; 0068). At the time the invention was made, one of ordinary skill in the art would have been motivated to store the activity at the computer being controlled in order to relief the controlling terminal from the burden of storing all the activity from different clients, thus making the performance more efficient [0013].

The hooking mean is taught by Tingley in abstract, col. 1, lines 34-50, line 67 to col. 2, line 12. At the time the invention was made, one of ordinary skill in the art would have been motivated to employ a hooking means in order to capture data, allowing administrators to track user's activities, therefore facilitating in policies formulations, thus help control the network (col. 1, lines 50-53).

Regarding claims 4, 5 and 19, AAPA does not explicitly teach the terminal according to claim 2, wherein said remote operation basic control means generates a message for reflecting the change in a terminal screen in response to the remote operation input information to said distant terminal, and sends the generated message to the network via said communication control means. Tingley teaches generating a message for reflecting the change in a terminal screen in response to the remote operation input information to said distant terminal, and sends the generated message to the network via said communication control means (col. 4, lines 1-27). At the time the invention was made, one of ordinary skill in the art would have been motivated to generate a message for reflecting the change in terminal screen in order to allow administrators to track user's activities, therefore facilitating in policies formulations, thus help control the network (col. 1, lines 50-53).

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Regarding claims 6-8 and 20-23, AAPA does not explicitly teach the terminal according to claim 1, wherein the history recording means includes means for automatically starting remote operation history recording when it is judged that remote operation input information from the distant control terminal or a terminal operation in response to the remote operation input information satisfies a predetermined start condition. Tingley teaches a history recording means includes means for automatically starts remote operation history recording when it is judged that remote operation input information from the distant terminal or a terminal operation in response to the remote operation input information satisfies a predetermined start condition (col. 7, line 59 to col. 8, line 11). At the time the invention was made, it would have been obvious to one of ordinary skill in the art to include means for automatically start remote operation history recording in the history recording means in order to allow automatic remote monitoring without user's intervention, therefore making the operation more efficient.

Regarding claims 9-11 and 24-26, although Tingley does not explicitly teach the terminal for a computer network according to claim 1, wherein the history recording means includes means for automatically stopping remote operation history recording when it is judged that remote operation input information from the distant terminal or a terminal operation in response to the remote operation input information satisfies a predetermined stop condition, he discloses a condition that starts the recording (col. 7, lines 59 to co. 8, line 11). It is obvious to one of ordinary skill in the art that if recording starts, it has to stop eventually by certain condition in order to prevent the system from recording indefinitely.

Regarding claim 12 and 27, although Tingley does not explicitly teach the terminal according to claim 1, wherein remote operation history recording is stopped after a lapse of a predetermined time period from the start of remote operation history recording, it would have been obvious to one of ordinary skill in the art to stop the history recording after a certain period of time in order to prevent the system from recording indefinitely.

Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Bunch, in further view of WO 99/13423 by Middleton et al. (hereinafter referred to as Middleton).

Regarding claim 13, AAPA teaches a remote operation history recording method for use in a computer network system in which one of a plurality of terminals is used as a control terminal for conducting remote operation of another terminal to be a remote controlled terminal, the method comprising the steps of:

 sending a remote operation message from said control terminal to said remote controlled terminal (specification page 1, lines 22-24);

 extracting remote operation input information from the remote operation message received by the remote controlled terminal, and executing a program operation at the remote controlled terminal according to the extracted remote operation input information (specification page 2, lines 1-5); and

storing, as operation history data, event information generated at the remote controlled terminal according to the remote operation input information (specification, page 2, lines 16-20).

However, AAPA does not explicitly teach the history recording means recording the remote operation input at the terminal being remotely controlled by the distant control terminal, and sending a message indicating the results of execution of the program operation from the remote controlled terminal to the control terminal; and storing, as operation history data, event information indicating the results of the program operation at the remote controlled terminal.

In an analogous art, Bunch teaches a client computer that logs all activity and storing the logged activity on the client computer (abstract, 0020-0021; 0068). At the time the invention was made, one of ordinary skill in the art would have been motivated to store the activity at the computer being controlled in order to relief the controlling terminal from the burden of storing all the activity from different clients, thus making the performance more efficient [0013].

Middleton teaches sending a message indicating the results of execution of the program operation from the remote controlled terminal to the control terminal (abstract, page 3, line 20 page 4, line 21; page 7, line 27 to page 8, line 24; page 9, lines 13-20); and

storing, as operation history data, event information indicating the results of the program operation at the remote controlled terminal (abstract, page 3, line 20 page 4, line 21; page 7, line 27 to page 8, line 24; page 9, lines 13-20). At the time the invention was made, one of ordinary skill in the art would have been motivated to combine the teaching of Middleton with the teaching of AAPA in order to provide a system that tracks user's activities, thus allowing administrator to better understand user's interest (abstract).

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Regarding claim 14, AAPA does not explicitly teach the remote operation history recording method according to claim 13, wherein the remote controlled terminal judges whether or not the remote operation input information extracted from the remote operation message received from the control terminal or a program operation executed in response to the remote operation input information satisfies a predetermined start condition, and if the predetermined start condition is satisfied, operation history recording is started at the remote controlled terminal to store event information based on the remote operation input information and event information indicating the results of execution of the program operation. Middleton teaches the stated claim limitation not taught in page 4, lines 15-21 and page 9, lines 19-20. At the time the invention was made, it would have been obvious to one of ordinary skill in the art to stop the remote operation history recording after a lapse of a predetermined time period in order to prevent any unwanted remote operating history without user's intervention, therefore making the operation more efficient.

Response to Arguments

Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N. Boutah whose telephone number is 571-272-3908. The examiner can normally be reached on Monday-Friday (9:00 am - 5:00 pm).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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